

Sim (Fr. L.)

REPRINT.

MEMPHIS MEDICAL MONTHLY.

VOL. XIV.

MEMPHIS, JUNE, 1894.

No. 6

Original Articles.

ASEXUALIZATION

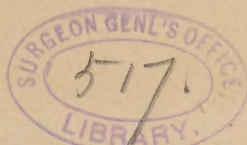
FOR THE PREVENTION OF CRIME AND THE ARREST OF THE PROPAGATION OF CRIMINALS.

Read before the Tennessee State Medical Society, April 11, 1894,

BY F. L. SIM, M.D., MEMPHIS, TENN.

For the successful discussion of any proposition, a *point d'appui* from which to radiate must first be established. In this country the "magna charta" of our revolutionary forefathers, and the legal enactments from time to time in conformity therewith, coupled with the will of the people, form the rules of action for the protection of society, the punishment of criminals, and the arrest of crime.

The law is intended for the good of the people as a whole, and for the protection of the interests of all alike. Hence it is our duty as good citizens to uphold it, while we labor for the cultivation of a higher moral status, with the aim to secure uniform and certain enforcement of the same. This can only be done by fiduciary obedience to the mandates of the law and the conscientious support of its officials. Admitting these propositions as self-evident, it follows that all citizens should respect the law and devote their energies to its improvement and enforcement. It is to be regretted that law-abiding citizens, through fear that criminals may not receive merited punishment, are often found passive when unorganized bodies are executing crude and cruel vengeance of their own dictation. Mobs are never composed of the better class of citi-



zens, and rarely, if ever, of other than such as have not the interest of society at heart, yet the responsibility and the odium, if any there be, rests upon all alike. The rule or ruin policy of such crowds is always followed by reflex disturbance in society—a sense of humiliation, mortification and a desire to forget. The axiom that two wrongs do not make a right is ever before the eyes of the thoughtful citizen. They find no approbation, no good example, no deterring influences, in such proceedings; hence they eschew all relationship therewith.

Are not capital crimes becoming more frequent—aye, almost epidemic—under the martyrdom-encouraging influences of capital punishment and the reign of the mob? If this be true, can we hope to control the epidemic with microbe-killers that have for centuries proven worthless?

One can hardly fail to notice that petty offenses are often freely punished, while too frequently those who commit grave crimes go unwhipped of justice. To some extent, this is doubtless due to the inefficiency of our courts and an ever-present maudlin sentimentality of jurors. But may not a view beyond the courts expose other factors—fulsome hopes and erroneous ideas—referable to anticipated benefits resulting from enforcement of the death penalty? May it not be possible that the very methods now prevailing *encourage* the evils for which they are intended as remedies? Does not the hangman's rope do far more to convince the uneducated that man has not a right to take from his fellow man that which he cannot return, or offer compensation, than volumes of reasoning? May the vicious not argue that, if man in his judicial ermine can take the life of his fellow man, why may not others, under aggravating circumstances, do likewise without the sanction of the law?

When a community has been rendered familiar with deeds of blood, whether judicial, wilful, malicious, or revengeful, the rising generation could hardly be expected to controvert the poetic refrain of the immortal Pope—

“Vice is a monster of so frightful mien,
As to be hated needs but to be seen;
Yet seen too oft, familiar with her face,
We first endure, then pity, then embrace.”

An eye for an eye, a tooth for a tooth, and a life for a life, is a rule that presents a sad commentary on the intelligence and Christian virtues of this age. Such was the teaching of Moses, at a time in the history of the world when human life was regarded of little moment, and the death penalty was inflicted for such trivial offenses as eating leavened bread during the Passover; compounding holy ointments, or selling the same to strangers; violating the Sabbath, or permitting an unruly ox to go at large, etc. If biblical justification is courted, we should remember we are living under the Christian dispensation, not the Jewish, and the New Testament does not commend retaliatory or revengeful methods.

Capital punishment is a curse to our nation, as it has been to every government on earth that has practiced it. Judicial homicide or legalized murder, are names that place the hanging of criminals in line of proper nomenclature. Reasons for such conclusions are obvious, but I will mention some that occur to me:

1. A number of instances can be cited to prove that the abolition of capital punishment has not been followed by the increase of crime. Rhode Island abolished capital punishment fifty years ago; Michigan and Wisconsin twenty years ago. It has been practically abolished in Kansas for fifteen or twenty years—not by statute, but by the custom of governors in failing to fix the date of execution—and in neither of these States do the figures indicate an increase of crime as the result of such abolition.

2. It is the *certainty* of punishment rather than its severity that deters men from committing crime. Nearly all criminals hope to escape, and most of them do escape through legal technicalities and the growing disinclination to enforce the extreme penalty. Hence capital punishment is even now practically abolished—a dead letter on the statute books. We compile the following figures from the report of United States Census Office for 1890: Of 7386 prisoners charged with homicide, 158 were executed, or only 2.13 per cent. Where statutes exist providing capital punishment for murder, they are not only to a great extent inoperative, but they absolutely shield a large per cent. of the most desperate criminals from any and all punishment.

3. Executions partake of a spirit of revenge often, if not always, and cultivate a feeling in the community akin to that possessed by the criminal when committing crime.

4. The taking of life is often more than the demands of society render necessary, provided other punishment can be substituted.

5. It is certain that other punishments equally applicable and far more scientific can be substituted, and at the same time place a lasting and effective object-lesson before the community.

6. Aside from the demoralizing influences of executions, it is well known that numerous innocent lives have been sacrificed through the fallibility of evidence.

The world is advancing, not alone in the arts and sciences, but in humanitarian effort as well. The barbarism of times past has given way to other methods less sclerotizing in their influence upon the feelings of the people. Our own State has admitted the demoralizing influences of hanging by Act of the General Assembly in forbidding public exhibitions of the same. This is a step in the right direction, and a palpable recognition of the degrading influences of such public scenes. The private hangings, however, are simply less demoralizing—not much less either; for the ubiquitous reporter of the public press is always an invited guest, and he serves the ghastly transaction, in all of its lurid details, to the breakfasting world of the following morning.

The most potent factor that now sustains capital punishment is probably the belief that it is the severest that may be instituted, as this so-called punishment rids the man of his life and the community of the man.

Formerly, as you all know, various torturing processes were instituted to precede the extinction of life. These were sufficiently inhuman and horrible to gratify the most revengeful; but, as the virtue of the people grew apace, such practices were abandoned. In contrast is the tendency of the present to ease the man off so gracefully that his death can be regarded as but little more than disgraceful to his innocent relatives. The criminal, if prepared to go—a regeneration which most of them claim—is only cheated of a part of his

miserable life, and is hurried to "eternal glory." Even the *methods* of execution are now becoming repugnant to the people, and it is sought to glide the criminal on "flowery beds of ease" over the Jordan with the aid of electricity or anesthesia.

The claim that capital punishment relieves the community of a bad man, is correct in the abstract, but the method is questionable, both as to necessity and greatest utility. Criminals need not always be deprived of life to rid them of the power and disposition to commit crime. The penitentiary relieves society of the presence of such; but *it* is only a place of confinement and restraint, where the occupant may be educated to a higher moral standing, and where he is made to work just as those who have not been deprived of their freedom are compelled to do. Such legal redress would alone often prove inefficient as a corrective, unscientific as a remedial agent, and unsatisfactory to the popular demand. For additional punishment, therefore, we must look elsewhere.

A basis of action that looks to the present and future welfare of the psychically depraved and criminal, and protects society to its fullest extent, is the basis upon which the whole question of punishment should rest. Punishment should never partake of the spirit of revenge; but the laws should be formulated with reference to the scientific recognition of cause and effect, and their administration rendered as certain as possible.

Man is prone to go wrong, and only he who is blessed with ample inhibitory force, trained will power, power of restraint, or God-given grace, may hope for a life of rectitude. These virtues are the virtues of a normal mind; and so great a lack of them as to lead the possessor to following the sexual appetite in lieu of being guided by his ideational cells—his sense of right and wrong—evidences both mental alienation and moral depravity. When such men commit crimes, the character of the punishment selected should be dictated by the factors leading them astray. If sexual excess be the cause, asexualization, if the crime justify, should be the remedy. Rape and sodomy are grave examples of the worst forms of perverted sexuality, and for either, especially the first, no punishment can be too severe; but, as before stated, it must be remembered that, in inflicting punishment, as in all other

relationships of life, the higher and nobler feelings should form the fulcrum of action.

The desideratum of the hour is a substitute for capital punishment, now almost a farce with the American people, that will give the greatest protection to the community and avert the degrading horrors of the retreating custom. Sterilize criminals and confine them to the penitentiary for a term of years, and no ill effects, from a moral point of view, will follow, while it fully protects from further crime originating in sexual diseases, and shields society from their like forever.

Each member of this learned assembly knows full well that mental diseases are accompanied and followed by mental weakness, lack of inhibitory power, and the various neuroses that are handed down from one generation to another. Asexualization would cure such neuroses, and thus be of actual benefit to this class of criminals, although depriving them of their manhood. When the question of insanity is urged in justification of crime, and such mental condition is due to sexual excess, sexual sterilization, whether the criminal be male or female, should undoubtedly be a part of the remedial agency or punishment prescribed.

There are but two worldly loves—one, the love of life; and the other, love based on sexual differentiation; all other loves are secondary thereto. That we all love life, goes without saying; but the criminal, when condemned to death, usually winds up his career on the basis of martyrdom, coupled with a kind of death-bed repentance, and receives the noose around his neck with apparent eclat.

Would castration be a grave punishment to man? This question opens a wide field for thought. Castration among the moral for disease is grave enough; but with him who devotes his entire thought to sexual gratification, life is secondary to sterility. Sexual debauchery is world-wide, both in its existence and in its crime and disease-producing characters. The appetite is easily cultivated, and *pari passu* with its growth are the powers of restraint weakened and the nervous system involved; hence, men frequent the gambling table, become defaulters, robbers and murderers, in securing the means of gratifying their sexual appetite and the cravings

of torturing nervous systems for alcoholic anesthetization. Step by step the line of sexual depravity is pursued until a grave crime follows, and the subject confronts the law.

Here, gentlemen, you have a portraiture; will you as medical men direct your remedies to the cause, cure the subject of his neuroses, and thus permanently protect society, or will you doctor the resulting disease and allow the etiological factor to maintain its vitality for renewed depredations? Certainly you would choose the former in the practice of your profession. Scientific investigation is due society, to say nothing of the criminal, in all cases of crime, and the methods of correction should be in entire keeping therewith.

Our State makes rape punishable with death. According to the position taken above, death is too good for such a class of men, and the tortures of former times too demoralizing upon the community for their rehabilitation. Castration and the penitentiary are their just dues.

In the scientific handling of all criminals whose crimes are associated with, or dependent on, sexual depravity, such persons would keenly feel the awful justice of the remedial agency, and would appreciate a life of rectitude, should they regain their freedom. The history of the eunuch of former times shows that he not only lost his licentiousness, but all feeling of manhood and equality as well, and grew fat from an easy conscience and tranquil nervous system. Sexual sterilization undoubtedly robs the subject of all hope in this world, but it leaves intact his prospects for a life of virtue and happiness in the great beyond.

The writer has purposely omitted making any race distinctions in the above remarks. For the trespass of the negro upon the color line, and forcing his heinous villainies upon the white woman, I fail to appreciate any appropriate remedy. Dr. Hunter McGuire says "death—certain, swift and merciless—is the penalty. This is the unwritten law of every community in the South; from it there is no appeal."

When such crimes as these have been committed, like murder when life is extinct, the work is done, and it makes but little difference, so far as the criminal is concerned, how, or how quickly, he is dispatched. It is to the prevention of such

crimes that we must bend our energies if we would save the community. When we look back we find none of these desperate affairs among the negro population in ante-bellum times. What prevented them? Virginia knew full well when she retained the whipping-post statute as a means of dealing with petty criminals. All flesh has a holy horror of this cruel but effective punishment. Pardon the digression. But prompt and efficient punishment for crimes committed in early life, often minor in character, will prove deterring to the criminal when opportunity presents for graver deeds of inhumanity.

One has only to look over the current literature of the day, North and South, for assurances that the black people are rapidly coming to the front as criminals. The frequency of the crime of rape perpetrated upon the white female is becoming paralyzing to the country, and yet provisions of our law making such attacks felony punishable with death, coupled with the terrors of the mob, have not only failed to check, but have actually permitted an increase of the crime. There must be something radically wrong in the present education of these people. As the white man of this part of the country must, for a time at least, live with them, the proper remedies for establishing and maintaining a normal relationship, and the proper recognition of the superiority of Caucasian blood, is essential to good government.

The negro is educated in this part of the country, and we believe throughout the South, by negro teachers; hence they are, while growing up, almost wholly kept under a moral atmosphere that may not be best. Southern white people, as a rule, prefer not to teach negro schools; and yet there can be little doubt that, if society were to encourage them, any number of men and women, to the manner born, who would exercise a highly moralizing influence in this direction, could be had. By this method the growing colored race could be kept in touch with, and be taught to recognize and fully appreciate, the social, moral and intellectual superiority of the white man. However this may be, as the whites pay the expenses of the public schools, they should at least have the refusal of the positions and salaries. No one can be more familiar with the evidences of a lack of respect for virtue

among the masses of negroes than the physician. May not this lack of appreciation of sexual purity have much to do with the frequent attacks upon virtue? The negro is quick to enter complaint when physically injured by one of his color; but, when a moral attack is precipitated, hesitation appears to be the result. A prominent attorney-at-law recently informed the writer that certainly not more than one-fifth of the rapes committed by negroes with their own color ever come to light. A free dispensary physician states that applications for remedial agents to relieve the suffering following rape, or attempt thereat, are by no means uncommon. All of this evidences that little or no restraint is thrown around them, and that punishment is not expected by them. If the law provided sexual sterilization for all such rascals, the colored man would soon know that rape is a crime of no small magnitude, even with his own color. Then, too, it would place an object-lesson, a prideless and demure eunuch, within every negro community in the Southern States. The negro could then more fully compass the gravity of such offenses when trespassing upon the "color line."

In former times, in oriental countries, it was no uncommon habit to castrate males for the purpose of making suitable domestics; many of them, however, subsequently gained high and honorable rank among the citizens.

In the opinion of the writer, the method of scientific inquiry into the causes leading to the committal of crime, and the adaptation of remedial agents that render such causes subsequently inoperative, either with or without additional punishment, is the proper method for the immediate and permanent protection of society, the punishment of criminals, and the arrest of their propagation.

DISCUSSION.

Dr. J. B. Lindsley, Nashville: Mr. President—The subject has two heads to it; it is an immense subject, and was well treated by the author, and I will have to get along pretty rapidly. The title is: "Asexualization for the Prevention of Crime, and the Curtailment of the Propagation of Criminals." Now, Mr. President, it is a very large subject, and I will treat it very rapidly.

The man, by the side of whose name the names of Solon, of Lycurgus and of Pamphilus sink into insignificance, published, about four thousand years ago, a little code under ten heads. That little code of law is at this moment the foundation of the jurisprudence and the civilization of five hundred millions of men, and these five hundred millions of men today govern the whole world; the other seven hundred millions of men, who live in India and China, are under the domination of the five hundred millions of men to whom I refer. That man's name was Moses. In him was symbolized the wisdom of the Egyptians. One-tenth of the little code published by that great law-giver said: "Thou shalt not kill." One-tenth of that wonderful system of law said: "Thou shalt not kill;" and to this day there has not been any revocation of that code, and to this day you cannot find the authority in any government to commit murder, whether in war or in peace, whether in the name of national rights or in the name of personal liberty. So much for the great question about killing people. If that is true, of course it follows that we must have some other mode of punishing crime.

Today I listened very patiently to the gentlemen of the eye specialty, and to the wonderful progress made in every branch of medical science. Now, gentlemen, there has been great advance made in sociology. Twenty years ago we remember hearing of penology. Today, or within the last ten years, this word, penology, is getting out, and the word criminality is substituted for it. Now, what does the word criminality mean? It means that you are to have some penalty to prevent criminals. The word criminality represents an entire change; it represents just as great a change as the gentlemen of the eye specialty have shown us today. By the word criminality we mean trying to make fewer criminals, and making the criminals better men. In the first place, we take the whole race of criminals. We do not want so much to punish the criminal individually, but we do want to save society from all criminals; and hence the idea of asexualization has been propagated throughout the country. This idea is going to be spread out, and I assure you that, long before the younger members of this society now hearing me reach my age, the idea will

ology
ology
ology
ology

be carried out to prevent the propagation not only of criminals, but of idiots, of the blind, deaf and dumb, of all people we do not want to live.

My next point is not only a question of medical matters, but a question of a branch of science now attracting great attention. It is sociology. Who ever heard the word sociology forty or fifty years ago? Who ever then heard the word biology? Today we do not say physiology; fifty years ago we did not say biology. A great change in words, and a very great change, too, in theory and in practice. Then, we spoke of political economy and political science; now, we speak of social economy and social science. You will find many changes in the last fifty years. This whole matter of sociology, which we hear so much about, is getting to be the great science; it is the science of sciences. There are three professions—theology, law and medicine—which are interested most in this. Now, I hold, as a person who has been in the world for a long time—as a person belonging intimately to the three professions—the medical profession is the one to take the lead in all this range of study. The medical profession is superior to the theological profession; not bound by creed, it is a broader profession. The medical profession looks at the physique. The legal profession is taken up more with law and order and the prevention of crime. The medical profession looks at the man, not only as with a soul, but with a body; and it is by the medical profession that man is to be brought to a higher plane. (Applause.)

Dr. Rogers: Mr. President—I do not know as I want to discuss this much, but I have listened to the elaborate paper by Dr. Sim, and I arise to bring the question practically before us. The theoretical advantages are evident. May I ask the question: How many present know of a case of asexualization, either from disease caused by atrophy of the organ of the male, or from the operation of removal of the testicle? I know there are a number of cases of that kind; but what effect is thus produced on the individual, brings the question down to a more practical form. We are told that, in ancient times, in order to render an individual perfectly safe as a member of the household, amputation of the penis was per-

formed, as well as castration. When this paper was announced by Dr. Sim, I had in my mind two cases of asexualization of the male. One was a young man who came to me a few months after an attack of acute double orchitis, the result of the introduction of a sound in the latter stages of some acute trouble. His sexual appetite was directly diminished, though the act could be performed. I used aconite, strychnia, etc., on him, but I do not know that there was any improvement. He was a very delicate gentleman, and passed out of my observation for some years. Four or five years afterward he again turned up, and his condition was the same. The sexual appetite was diminished, though not absent. In that case there may have been some portion of the secretory part of the testicle left. In the other case I know there was none left, because it was my province to remove both testicles. The patient was a young man whose father died of tubercular trouble, and whose mother died of spinal disease. He was a very prominent man in society where he lived; was one of the leaders in society, and a thorough gentleman. He had had one mild attack of gonorrhœa, which was relieved very promptly. In 1887, in the early part of the year, he consulted me, with one of the organs dreadfully enlarged, fully four times the natural size. He denied syphilis, and knew the importance of giving me the truth, and I am confident he never had syphilis. I put him upon iodide of potassium and codliver oil; and in a short while this enlarged organ had softened down to a sac of fluid. I advised extirpation of it; and, after consultation, I removed the gland well up to the cortex, so no part was left. It was nothing but about two ounces of pus. He recovered promptly. Two years later he came again in about the same condition. I continued him with iodide of potassium, mercury and codliver oil, and he finally consented to its removal. The second operation was done in November, 1889, two years after the first. I am positive all of the two testicles were removed. Six or eight months afterward I questioned him upon the effect it had on his sexual appetite, and he said, in a pleasant way, he didn't notice it was particularly changed. He led me to believe that there had been very little change; and so, when this subject was

announced, though it had been five years since I saw him last, I concluded I would write him, expecting to get the answer he gave me before, and I expected to spring it as a surprise against the theory of the gentleman. I gave him a number of questions, and he answered separately. My diagnosis was tubercular testicles; and, shortly after the operation, he developed a small abscess on the patella which was typically tubercular. This yielded to the local packing with iodoform.

This letter, I think, bears out the teachings of the paper:

March 18, 1894.

W. B. Rogers, M.D., Memphis, Tenn.:

MY DEAR DOCTOR—I give below answers to your questions *seriatim*:

1st. My weight at the time of the last operation was about 115 pounds. I never weighed more than 118 pounds prior to that. My present weight is 127—due probably to a course of codliver oil, which I have been taking for about three months. Though within a year after the operation, my weight reached 126 pounds.

2nd. My general health is splendid, and has been since my residence in this city.

3rd. I experience no sexual desires, unless unduly excited, and even then the desire is not permanent. The erection is not strong enough to permit complete sexual intercourse. Knowing and feeling this, I have never had the courage to betray myself to any woman; hence I have suppressed, as far as possible, any such inclination; and since the last operation (in November, 1889,) I have not had any sexual intercourse whatsoever.

This will make unnecessary answers to your 4th, 5th, 6th and 7th questions.

8th. I have never lost my fondness for women's society; in fact, I have had two or three love affairs here, which I was of course compelled to break off. This is where my torture comes in. I believe a man in my condition can live satisfactorily and contentedly without sexual intercourse, but no man can control his heart's emotion; and the agony of loving and being loved, without the sanction of marriage, is a terrible ordeal. Hence I have withdrawn entirely from society, not

that I hate it, nor am indifferent to it, but the consciousness of my imperfection convinces me that I have no place in it. I have a few particular friends which make up my circle.

The two operations were performed as follows: first, October 15, 1887; second, November 1, 1889.

I am sorry not to be able to give you more scientific information. However, I am willing at any time to give you any data you wish.

Since the two abscesses I had in Memphis, I have had several smaller, unimportant ones, which were quickly cured with your prescription of iodide and mercury, or calomel. keep this prescription on hand for any impurity of the blood.

Please acknowledge this, so I will know it reaches you.

Your friend, ————.

Dr. Neil, Nashville: I listened with considerable interest to the able paper by our newly-elected President; (in fact, he never writes anything but that it is able); and I listened with interest to the able discussion of the paper by my old friend and teacher, Prof. Lindsley, and I listened to the gentleman who has just left the floor; but it occurs to me, Mr. President, that this society is taking hold of a subject that does not come in their province. I regard this as a legal question—as a legislative question—and I regret that there are not some of the legal bar of the city present to discuss it. I think very seriously that this question could not be entertained by a legislative body, because of its unconstitutionality; but my opinion is—this being a legislative question—that we are certainly engaging in a thing that we are not authorized by our professional vocation to engage in. Now, I am willing to admit that this would be a good law in Kentucky just at this time, but I doubt very much whether it would be appreciated or adopted by Tennessee or not.

Dr. Crockett, Nashville: Mr. President—I had understood that some members of the Memphis bar expected to be present at the reading of this paper; and if they are in the house, I move, sir, that they be extended the courtesies of the floor and be asked to take part in this discussion. (Seconded and carried.)

Dr. Sim: Gentlemen—I have the pleasure of introducing Col. Holt, one of our leading attorneys-at-law in this city; and, if it be your will, I would like to have you hear him.

Col. G. A. C. Holt: Gentlemen—After thanking you for your courtesy in asking me to express the views of the members of the bar upon the questions which are embraced in the document just read by the Nestor of the medical profession of the State of Tennessee, allow me to say that they certainly are the questions which soon will be real ones in every civilized community. That of capital punishment has recently been agitating most of our States. Some of the leading humanitarians of our own State are earnestly presenting it to the community and to the thinking portion of our citizens. And let me say here that the unsexing question involved in the document read by the gentleman is a living, real question, and one which I think must be solved by the members of the medical profession, rather than by those of the legal profession. The crimes to which that document is peculiarly applicable are fearfully on the increase. My experience as a criminal lawyer shows to me that crimes of that character are committed twice now where they were committed once some five, ten or fifteen years ago. I think the statistics of our country will bear me out in this statement. Whilst it is a fact that nine-tenths of the crimes, in a general sense, from homicide down to mere breaches of the peace, or simple larceny, are committed by the colored people in our city. The records of our courts will show that to be a fact.

Now, this is neither the time nor the occasion to deliver to you a long address on this question. While there may be some constitutional point involved, there is no clause in the Federal or State Constitution which forbids punishment of that character. We have one clause, which reads: “No cruel or unusual punishment shall be adopted.” That is the only class of punishment forbidden to the Legislature.

Now, for the class of crime embraced by the gentleman’s dissertation, it seems to me he has as ably depicted it and sounded the warning to you as any pen could possibly do. His article is certainly one of remarkable ability in point of research and logic, and it points to the only remedy for these

horrible crimes. If they are not stopped—if there is not some check put to them—you know, as the document itself announces, it will simply breed lawlessness in its most fearful sense. Unless more adequate means are brought to bear and adopted by the humane and intelligent portion of the community, these crimes will increase; and, while the legal profession has its duty here to discharge, you have a higher one, and certainly a more important one. The legal profession looks to you—to the medical profession—and to that profession alone—because you must tell us the psychological causes and bearings of these crimes, and the remedial advantages of scientific methods of punishment. The responsibility is upon your shoulders, and I was glad to hear that document read here, because it shows a move on the part of the thinking portion of our community which I hope will result in something valuable.

Capital punishment has no terror for the man who has committed that sort of crime; it pales into insignificance, compared with the passions that consumed him then. If they reach the gallows, to use the language of the essayist, they are sure they are going directly to heaven; but, as was said by a noted French criminal when he was going to the guillotine, “it is five minutes very uncomfortably spent.” Capital punishment for criminals of that character is a failure. This is not only my opinion, but the opinion of the greatest statisticians. I gather the reports from the Smithsonian Institute in Washington, and I hold to this, although I may be mistaken, that human actions may be as thoroughly traced to psychical causes as the actions of the atmosphere, or the courses of the rivers, or any of the effects of natural laws. It is a well known fact that the actions of the human mind are as regular in their operations as any of the laws of nature. Our dead letter office shows that the number of letters deposited in the dead letter office come there, a certain number, because they have no stamp, a certain portion because they have no address, and others are deposited there for other causes; and it is true that the percentage sent there for the various causes never varies more than probably one-half of one per cent.; no more perhaps than the Carlisle mortality

tables which regulate our insurance documents. Hence it is that scientific men are beginning to urge this upon the community—that crime is due to a mental aberration, or to an abnormal mind, or to plain psychological causes. The proposition that has been urged by some humanitarians is, that the men who commit crime are simply under the influence of an abnormal intellect. Men not carried away by a proper sense of duty to their government, or to their country, or by any false doctrines of sympathy, hold this view today, and they unload the whole question on your shoulders. The legal profession can never handle a question of that sort; it rests upon your shoulders, and your shoulders alone. You see where the duty lies. It would probably be outside of the rules of propriety to detain you longer. We regard capital punishment as a failure. It certainly has not succeeded heretofore. What it may do in the future we do not know. (Applause.)

T. J. Happel, Trenton: Mr. President—I apologize for having been on the floor so often, but this is one of the papers I came to this society to hear. It is a subject I have revolved in my mind for several years; little articles occurring here and there have called my attention to it. I have advocated the re-establishment of the whipping post, and I believe it ought to be done. If you apply the lash right freely, the little crimes and petty offenses will not be committed. In my service as county health officer for twelve or fifteen consecutive years, I have been brought in contact with the criminal population of Gibson county, in one of the largest jails in the country. Year after year I have seen the same criminals brought back to the jail. The present punishment is a failure. We want something that will succeed—something that will deter them from committing all kinds of crime. The point has been made very effectually that this class referred to by Dr. Sim in his paper would be deterred from the commission of their unmentionable crime by the horror they would have of the operation to be performed. I heartily agree with him, and I believe it is the duty of the medical profession to keep the ball rolling. This may seem a little premature; and so, too, did the theory of Galileo that the

world moved. When compelled, he retracted it openly ; but turned around and said : " But it do move."

I hope this paper will keep the question before the people of the State. There is an old principle that like begets like. If you take these vile monsters and put them in a position where they cannot propagate their like, you will at least take a very decided step toward the prevention of the criminal class. Operate upon them—punish them—that way every time the crime is committed ; the individual so treated will not beget any of the like in his case to continue his crime. A thief will beget a thief. You trace it from generation to generation—there are exceptions to all rules—but the rule is they will beget their kind. Murderers are low down, but they will beget their kind. Stop it in the way suggested by Dr. Sim in his paper ; and, my word for it, you will take the grandest step that was ever taken for the prevention of crime. (Applause.)

CLOSE OF DISCUSSION.

Dr. Sim : Mr. President—I have but little to say ; I am very well pleased with the result. I have thrown this paper into the society for the purpose of starting a little thinking in the direction indicated. Perhaps I have not impressed sufficiently the fact that disease is the result of excessive indulgence. We all know to what a great extent these excesses become factors in producing diseases. Like its colleague, I may call it, alcohol, after indulgence for a time, pathological changes occur, and then the party is influenced or misguided by these morbid pathologies. They are neuroses that are aggravated, or progress *pari passu*, with the indulgence, and soon the party is not under the control of the will power. He gives way to the evil habit, the alcohol habit, or the habit of seeking the indulgence of his appetencies. I have not given this line of thought the extensive study that I have alcoholism, but I see the relation of the two that must be apparent to all. These conditions—chronic alcoholism, or the pathological changes incident to alcoholism, and the chronic nerve changes incident to over-sexual indulgence—are diseases, and they are handed down as we all know to future generations. Understand me. A man may have epilepsy—a disease of the nerv-

ous system the pathology of which is but little understood—and may not transmit to his children or grandchildren epilepsy, but some other form of disease of the nervous system. So it is with the class of diseases under consideration. A man, suffering from the pathological changes due to chronic alcoholism, or excessive indulgence in venery, may transmit his peculiar neuroses in the form of epilepsy, chorea, catalepsy, excessive nervous irritability, etc. The drunkard does not necessarily have children who are drunkards, although the males are most likely to be ; but his entire family, both male and female, as they grow up, become the subjects of diseases of the nervous system.

